

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.

Defendants.

Civil Case No. 2:22-cv-00293-JRG  
(Lead Case)

**JURY TRIAL DEMANDED**

NETLIST, INC.

Plaintiff,

v.

MICRON TECHNOLOGY TEXAS, LLC, et al.

Defendants.

Civil Case No. 2:22-cv-00294-JRG  
(Member Case)

**JURY TRIAL DEMANDED**

**SAMSUNG’S UNOPPOSED MOTION UNDER STANDING ORDER TO EXCEED  
PAGE LIMIT FOR ATTACHMENTS TO DISCOVERY DISPUTE BRIEFS**

Samsung respectfully requests leave to exceed the page limit for attachments to Samsung’s responses to: (1) Netlist’s motion to compel the deposition testimony of Mr. Joo Sun Choi (Dkt. 224); (2) Netlist’s motion to preclude the introduction of testimony to support Samsung’s license defense (Dkt. 225); and (3) Netlist’s motion to compel additional deposition testimony of Mr. Seungmo Jung (Dkt. 226).<sup>1</sup>

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<sup>1</sup> This Court’s March 11, 2020 Standing Order Regarding “Meet and Confer” Obligations Relating to Discovery Disputes provides that “[a]ttachments to a discovery related motion . . . shall not exceed 5 pages.”

Specifically, Samsung seeks leave to file: (1) 30 pages of exhibits in total attached to Samsung's Response to Netlist's Motion To Compel Deposition of Joo Sun Choi; (2) 65 pages of exhibits in total attached to Samsung's Response to Netlist's Motion To Preclude Introduction of Testimony To Support Samsung's License Defense; and (3) 49 pages of exhibits in total attached to Samsung's Response to Netlist's Motion To Compel Seungmo Jung.

Samsung believes that this page extension is necessary and warranted to allow Samsung to support its arguments fairly and adequately.

With respect to Samsung's Response to Netlist's Motion To Compel the Deposition of Joo Sun Choi, Samsung seeks to introduce briefs and orders from the Central District of California *Netlist v. Samsung* case, deposition transcripts, public articles, and correspondence to demonstrate that Mr. Choi's deposition is unnecessary.

With respect to Samsung's Response to Netlist's Motion To Preclude Introduction of Testimony To Support Samsung's License Defense, Samsung seeks to provide written discovery requests/responses, deposition transcripts, and correspondences to demonstrate that Samsung has disclosed its license defense throughout this litigation and followed proper procedures in conferring with Netlist and eventually moving for a protective order.

With respect to Samsung's Response to Netlist's Motion To Compel Seungmo Jung, Samsung seeks to introduce deposition transcripts and an errata, written discovery, and filings from *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, No. 1-21-cv-01453 (D. Del.) to demonstrate that an additional deposition of Mr. Jung is unnecessary and unwarranted.

Counsel for Samsung conferred with counsel for Netlist regarding this motion. Netlist stated that it does not oppose the relief sought herein.

A proposed order reflecting the relief requested is attached.

Date: December 7, 2023

Respectfully submitted,

Melissa Richards Smith  
melissa@gillamsmith.com  
GILLAM & SMITH, LLP  
303 South Washington Ave.  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

J. Travis Underwood  
Texas Bar No. 24102587  
travis@gillamsmithlaw.com  
GILLAM & SMITH, LLP  
102 North College Avenue, Suite 800  
Tyler, Texas 75702  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Brian R. Nester  
DC Bar No. 460225  
bnester@cov.com  
COVINGTON & BURLING LLP  
One CityCenter 850 Tenth Street, N  
Washington, DC 20001-4956  
Telephone: (202)-662-6000

Alice J. Ahn  
CA Bar No. 271399/DC Bar No. 1004350  
aahn@cov.com  
COVINGTON & BURLING LLP  
415 Mission Street, Suite 5400  
San Francisco, CA 94105  
Telephone: (415) 591-7091  
Facsimile: (415) 955-6571

/s/ Michael J. McKeon

Ruffin B. Cordell  
TX Bar No. 04820550  
cordell@fr.com  
Michael J. McKeon  
D.C. Bar No. 459780  
mckeon@fr.com  
Lauren A. Degnan  
D.C. Bar No. 452421  
degnan@fr.com  
Daniel A. Tishman  
DC Bar No. 1013923  
tishman@fr.com  
FISH & RICHARDSON P.C.  
1000 Maine Avenue, SW  
Washington, DC 20024  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

Francis J. Albert  
CA Bar No. 247741  
albert@fr.com  
FISH & RICHARDSON P.C.  
12860 El Camino Real, Ste. 400  
San Diego, CA 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

Thomas H. Reger II  
reger@fr.com  
Texas Bar No. 24032992  
FISH & RICHARDSON P.C.  
1717 Main Street, Suite 5000  
Dallas, Texas 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-2091

*Attorneys for Defendants Samsung Electronics Co., Ltd.;  
Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on December 7, 2023. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Michael J. McKeon

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred telephonically on November 2, 2023. Counsel for Netlist indicated that they do not oppose this motion.

/s/ Michael J. McKeon